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*Census of all patients under care of 131 of the clinics operated by the United States Public Health Service and the State boards of health for the month of July, 1919—Continued.*

State clinics.	Total patients.	Re-main-ing on July 1.	New admis-sions.	Discharged.			Discontinued treatment.		
				As cured.	Nonin-fectious but not cured.	Prob-ably cured.	With per-mis-sion.	With-out per-mis-sion.	Re-main-ing under treat-ment.
Oklahoma.....	841	438	403	66	12	38	47	70	608
Ardmore.....	507	299	208	.....	.....	.....	31	45	431
Chickasha.....	46	15	31	21	.....	9	.....	.....	16
El Reno.....	31	7	24	9	7	11	3	.....	1
Enid.....	19	2	17	5	.....	5	.....	.....	9
Holdenville.....	37	17	20	1	5	8	3	.....	20
Hugo.....	114	.....	14	4	.....	.....	.....	.....	10
Miami.....	23	13	10	5	.....	.....	5	1	12
Picher.....	164	85	79	21	.....	5	5	24	109
Oregon.....	100	39	61	.....	5	.....	.....	.....	95
Portland.....	100	39	61	.....	5	.....	.....	.....	95
Rhode Island.....	702	598	104	1	.....	.....	7	29	665
Providence—	.....	.....	.....	.....	.....	.....	.....	.....	.....
City Hospital.....	535	486	49	.....	.....	.....	6	19	510
Rhode Island Hos-pital.....	97	74	23	.....	.....	.....	1	5	91
St. Joseph's.....	112	.....	12	1	.....	.....	.....	1	10
Pawtucket.....	47	38	9	.....	.....	.....	.....	.....	47
Woonsocket.....	111	.....	11	.....	.....	.....	.....	4	7
South Carolina.....	2,002	1,287	715	25	9	144	68	227	1,529
Charleston.....	246	150	96	6	.....	48	9	26	157
Columbia.....	506	389	117	.....	3	11	6	107	379
Florence.....	347	244	103	12	.....	50	11	6	268
Greenville.....	571	364	207	4	5	9	7	60	486
Orangeburg.....	180	37	143	3	1	4	35	1	136
Spartanburg.....	152	103	49	.....	.....	22	.....	27	103
South Dakota.....	8	2	6	.....	.....	.....	.....	.....	8
Aberdeen.....	8	2	6	.....	.....	.....	.....	.....	8
Texas.....	302	243	59	6	.....	5	11	.....	280
Galveston.....	302	243	59	6	.....	5	11	.....	280
Utah.....	85	16	69	4	.....	6	1	12	62
Ogden.....	134	.....	34	3	.....	4	.....	7	20
Salt Lake City.....	51	16	35	1	.....	2	1	5	42
Virginia.....	418	228	190	91	70	87	9	.....	161
Danville.....	41	16	25	.....	.....	2	1	.....	38
Richmond.....	325	196	129	90	70	76	2	.....	87
Roanoke.....	52	16	36	1	.....	9	6	.....	36
West Virginia.....	109	5	104	3	.....	18	3	5	80
Charleston.....	20	5	15	3	.....	.....	3	.....	10
Clarksburg.....	133	.....	33	.....	.....	18	.....	5	14
Parkersburg.....	115	.....	15	.....	.....	.....	.....	.....	15
Bluefield.....	19	.....	9	.....	.....	.....	.....	.....	9
Elkins.....	23	.....	23	.....	.....	.....	.....	.....	23
Wheeling.....	19	.....	9	.....	.....	.....	.....	.....	9

<sup>1</sup> First report.

## LICENSING OF HOSPITALS.

NEW YORK COURT OF APPEALS HOLDS THAT PERMIT CAN NOT BE REFUSED SOLELY BECAUSE SURROUNDING PROPERTY WOULD BE DAMAGED.

It has been decided <sup>1</sup> that the Board of Health of New York City can not refuse a permit for a private hospital for the treatment of medical, surgical, and obstetrical cases solely because "considerable damage would accrue to the surrounding property if the permit were granted."

<sup>1</sup> People ex rel. Sprenger v. Department of Health of City of New York (123 N. E., 379).

The Board of Health of New York City refused a permit for a hospital for the above reason only. All other conditions were satisfactory. The New York Court of Appeals held that the permit should have been granted. It said:

\* \* \* The board has general jurisdiction over the establishment and maintenance of hospitals, including the licensing of hospitals. On an application for a permit, it should consider and give proper weight to all the ordinary contingencies and circumstances appropriate to the subject which require the exercise of discretion. The element of location may be material. The effect of a proposed location on property values in the neighborhood need not be wholly disregarded, and may even become decisive in a case otherwise doubtful. But the authority now conferred on the board does not include, expressly or by reasonable implication, the power to refuse a permit, as has been done in this case, when all other conditions are satisfactory and no offense to the senses is suggested, for the exclusive reason that "considerable damage would accrue to the surrounding property if the permit were granted." That reason considered alone came not legally within the scope of its discretion. The property rights of one owner may not be subordinated to the property rights of his neighbors, except as an incident to the exercise of authority reasonably conferred for the general welfare. \* \* \*

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### CLOSING OF SALOON DURING EPIDEMIC.

#### ORDINANCE HELD TO BE TOO INDEFINITE TO REQUIRE CLOSING OF SALOON DURING EPIDEMIC.

A recent New Jersey case<sup>1</sup> emphasizes the necessity for drafting health legislation in a clear and definite form.

The defendant was convicted in the lower court for inviting and allowing people to congregate in his saloon while influenza was epidemic in the city, it being charged that such action was dangerous to human life and health. The section of the ordinance under which he was convicted read as follows:

That whatever is dangerous to human life or health, whatever building, erection, or part or cellar thereof is not provided with adequate means of ingress and egress or is not sufficiently supported, ventilated, sewerred, drained, cleaned, or lighted, and whatever renders the air, food, or water unwholesome, are declared to be nuisances and are prohibited. Any person violating any of the provisions of this section shall be liable to a penalty of not less than \$5 nor more than \$100.

The Supreme Court of New Jersey decided that the ordinance was too indefinite to support the conviction, and that the complaint in the case charged no violation of the ordinance.

Legal enactments specifically requiring the closing of schools and places of amusement during an epidemic have been upheld by the courts.<sup>2</sup>

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<sup>1</sup> Board of Health of City of Paterson v. Clayton et al. (106 Atl., 813).

<sup>2</sup> Pub. Health Repts., June 20, 1919, p. 1376.